



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Michael O. Leavitt
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November 4, 2002

CERTIFIED RETURN RECEIPT
7099 3400 0016 8895 4791

Mr. John Hewitt
Interstate Brick Company
9780 S 5200 W
West Jordan, Utah 84088

Re: Notice of Potential Non-Compliance & Division Directive, Interstate Brick Company, Fivemile Pass Mine, M/045/006, Tooele County, Utah

Dear Mr. Hewitt:

In September, you dropped into the Division offices and met Mr. Tom Munson, of my staff and introduced yourself as the person currently in charge of permitting for Interstate Brick. At that time, Mr. Munson asked you to discuss your Fivemile Pass Mine Permit (M/045/006) and the potential for mining-related disturbance that may not have been permitted. You advised Mr. Munson that because of your unfamiliarity with the plan, you would look into this matter and get back to him. You told Mr. Munson that it would be easy to generate a better map with your GPS and he stated that this would be helpful and be better than what was currently on file.

The issues discussed during your visit included updating your mine plan and submitting a complete and accurate updated map showing all current permitted disturbance, topsoil storage areas, ore stockpiles, and any new disturbance that would need to be amended to your existing plan.

Interstate Brick is hereby directed to provide the following information to the Division:

1. An updated disturbed area map and a revised mining and reclamation plan within 30 days of your receipt of this notice. The revised plan must address all appropriate requirements of Administrative Rules R647-4, et. seq., Large Mining Operations. This plan must include any new, unpermitted ore stockpiles, mining-related disturbance, topsoil storage areas and a reclamation plan for the new disturbances.
2. Interstate Brick must mark the boundary of the current permit area with appropriate visible markers (metal t-posts, etc.) to ensure that mining operations are not conducted outside of the approved permit area.
3. Interstate Brick must restrict its mining operations to the permit area identified in its approved Large Mining Notice of Intention until this issue is resolved.

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M/045/006
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Your failure to respond to this notice accordingly may result in the issuance of a formal Notice of Non-Compliance. This enforcement action could require an immediate suspension of mining operations, the filing of a complete and accurate Large Mine Plan, and the posting of a transitional reclamation surety at \$5,000/acre, over and above what the mine is currently bonded for.

If you have any questions regarding this notice, please contact me at (801) 538-5286, or Tom Munson at 538-5321. Thank you for your immediate attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "D. Wayne Hedberg".

D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb
Attachment Form MR-REV
cc: Roy Gunning, Interstate Brick
Mary Ann Wright, DOGM
Tom Munson, DOGM
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